

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

**SUZANNE DEGNEN, D.M.D., P.C.  
d/b/a SUNSET TOWER FAMILY  
DENTISTRY,**

**Plaintiff,**

**v.**

**SCHEDULING INSTITUTE, INC. d/b/a  
SCHEDULING INSTITUTE, et al.,**

**Defendants.**

**No. 4:15-cv-00450-JAR**

**UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS ACTION  
SETTLEMENT**

Plaintiff Suzanne Degnen, D.M.D., P.C. d/b/a Sunset Tower Family Dentistry, individually and on behalf of the “Settlement Class,” moves under Rule 23 of the Federal Rules of Civil Procedure for preliminary approval of a proposed class action settlement of this action.

1. The parties have agreed to a class-wide settlement of this action concerning facsimiles in which Plaintiff alleged violation of the Telephone Consumer Protection Act, 47 U.S.C. § 227, *et seq.*

2. Defendant Scheduling Institute, Inc. d/b/a Scheduling Institute (“Defendant”) does not oppose this Motion.

3. Plaintiff files contemporaneously herewith its Memorandum in Support of Unopposed Motion for Preliminary Approval of Class Action Settlement, to which is attached the Settlement Agreement and Release and additional exhibits.

WHEREFORE, Plaintiff Suzanne Degnen, D.M.D., P.C. d/b/a Sunset Tower Family Dentistry requests that this Court enter an order (1) conditionally certifying the proposed Settlement Class, (2) granting preliminary approval to the Settlement, (3) naming Plaintiff as class representative, (4) appointing Ronald J. Eisenberg and Robert Schultz as Class Counsel, (5) approving the proposed notice plan, (6) scheduling a final fairness hearing, and (7) providing such other and further relief as the Court deems reasonable and just.

SCHULTZ & ASSOCIATES LLP

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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I certify that on December 18, 2015, the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system upon all registered counsel of record.

/s/ Ronald J. Eisenberg